

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Horace Hicks,) C/A No.: 1:18-1952-HMH-SVH
vs. Plaintiff,)
Warden G. Lane and Lt. Derek) ORDER
Danley, Defendants.)

Horace Hicks (“Plaintiff”), proceeding pro se, filed this action on July 16, 2018. [ECF No. 1]. On January 7, 2019, Defendants filed a motion for sanction and to dismiss. [ECF No. 27]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by February 7, 2019. [ECF No. 28]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants’ motion may be granted, thereby ending his case. *Id.*

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Defendants' motion to dismiss by February 26, 2019. Plaintiff is further

advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



February 12, 2019
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge